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Rothwell (米国)

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DECLARATION

I, Yoshiyuki OHTSUKA of c/o 15-2, Hongo 1-chome, Bunkyo-ku, Tokyo 113-0033, Japan do solemnly and sincerely declare

1. that I am well acquainted with both the English and Japanese languages, and
2. that the attached document is a true and correct translation of the Receipt of Goods provided by Yamanashi-ken Kogyo Gijutsu Center for showing receipt of materials according to the present invention.

And I make this declaration conscientiously believing the statements contained herein to be true in every particular.

Tokyo, Japan

Place

August 22, 2003

Date

(Signature of Translator)

O I P E S C R I B E
AUG 22 2003
PATENT & TRADEMARK OFFICE
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UNITED STATES
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OFFICE**

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AUG 26 2003
TC 1700

<i>Application Number</i>	10/088,494
<i>Filing Date</i>	March 27, 2002
<i>First Named Inventor</i>	Susumu Shimizu et al.
<i>Group Art Unit</i>	1742
<i>Examiner Name</i>	D. YEE
<i>Attorney Docket Number</i>	2922-125

Title of the Invention: PRECIOUS METAL BASED AMORPHOUS ALLOYS

DECLARATION UNDER 37 C.F.R. § 1.132

I, Shin-ichi Nakayama, declare as follows:

1. I am one of the co-authors of Miyagawa et al., "Amorphous Kildzoku Sozai no Chuuou Jouken to Jitsuyou-kani Kansuru Kenkyuu," Yamanashi-ken, Kogyo Gijutsu Center Kenkyuu, No. 13, pp 111-114 (2000) ("Miyagawa").
2. I am currently employed at Yamanashi-ken Kogyo Gijutsu Center (Yamanashi-ken).
3. I have been advised that the April 24, 2003 Office Action issued in the above-identified application cites Miyagawa as a reference published more than one year prior to the filing date of the present application, based on the misunderstanding that Miyagawa was published 1999. I also understand that the Office Action is based on the disclosure of the amorphous precious metal alloy in Table I of Miyagawa.
4. I, as one of co-authors of Miyagawa, confirm that Miyagawa was published on January 18, 2000, not in 1999. As shown in an accompanying English translation (Exhibit 1), Miyagawa is only referred to as "Study report 1999 made by Yamanashi-ken Kogyo Gijutsu Center." However, the actual publication of the study report did not occur until January 18, 2000.

5. I also confirm that our employer, Yamashashi-ken, obtained the amorphous precious metal alloy from Tanaka Kikinzoku Kogyo K.K. ("Tanaka") for us to conduct the experiments described in Miyagawa. Thus, the alloy described in Table 1 of Miyagawa is a description of work done by Tanaka.
6. I further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature: S. Nakayama
Sin-ichi Nakayama

Date: 21, August 2003

Miyagawa-dec.wpd